

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BRIAN MILEIKIS

Plaintiff,

v.

UMASS CORRECTIONAL HEALTH
CARE, et al.,

Defendants.

C.A. No. 14-12718-LTS

MEMORANDUM AND ORDER

SOROKIN, D.J.

Plaintiff originally filed a joint complaint that was part of a multi-plaintiff civil rights action. See Stote, et al. v. UMass Correctional Health Care, et al., C.A. No. 13-10267-NMG (the "2013 action"). The 2013 action was initiated by MCI Norfolk inmate John E. Stote concerning alleged inadequate medical care at MCI Norfolk. On June 25, 2014, the judge assigned to the 2013 action severed the individual prisoner claims into separate cases. See No. 13-10267-NMG, 06/25/2014 Memorandum and Order (the "June Order"), Docket #20.

The June Order directed each plaintiff who wished to prosecute his own claims to pay the \$400 filing fee or file an Application to Proceed in District Court Without Prepaying Fees or Costs within sixty days and that failure to pay the fee or seek leave to proceed without prepayment of the fee may result in dismissal of the individual action without prejudice. Id.

Pursuant to the directives of the June Order, the Clerk opened a new case for plaintiff. See Docket. The Order was mailed to Mileikis on June 27, 2014. Id.

Plaintiff has not responded to the Court's order and the time to do so has expired. The documents sent to him were not returned to the Court as undeliverable and a search of the on-line Victim Information & Notification Everyday (VineLink) homepage reveals that he is still incarcerated at MCI Norfolk. See VineLink Offender Locator, <http://www.vinelink.com> (last

visited Oct. 6, 2014).

Based on the foregoing, it is hereby Ordered that this action is DISMISSED without prejudice and without assessment of the filing fee.

SO ORDERED.

October 9, 2014
DATE

/s/ Leo T. Sorokin
LEO T. SOROKIN
UNITED STATES DISTRICT JUDGE